

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

21. (currently amended): A semiconductor device ~~stacked comprising~~:  
a gate insulating film and a gate electrode stacked in this order on a silicon substrate;

wherein

    said gate insulating film comprises a nitrogen containing high-dielectric-constant insulating film which has a structure in which nitrogen is introduced into metal oxide or metal silicate; and

    the nitrogen concentration in said nitrogen containing high-dielectric-constant insulating film has a distribution in the direction of the film thickness; and

    a position at which the nitrogen concentration in said nitrogen containing high-dielectric-constant insulating film reaches a maximum in the direction of the film thickness is present in a region at a distance from the silicon substrate.

22. (original): A semiconductor device according to Claim 21, wherein a position at which the nitrogen concentration in said nitrogen containing high-dielectric-constant

insulating film reaches a maximum in the direction of the film thickness is present in a region at a distance of not less than 0.5 nm from the silicon substrate.

23. (original): A semiconductor device according to Claim 21, wherein a position at which the nitrogen concentration in said nitrogen containing high-dielectric-constant insulating film reaches a maximum in the direction of the film thickness is localized on the side of a gate electrode in said nitrogen containing high-dielectric-constant insulating film.

24. (original): A semiconductor device according to Claim 21, wherein a position at which the nitrogen concentration in said nitrogen containing high-dielectric-constant insulating film reaches a maximum in the direction of the film thickness is localized in the central section of said nitrogen containing high-dielectric-constant insulating film.

25. (original): A semiconductor device according to Claim 21, wherein the nitrogen concentration on a silicon substrate side interface of said gate insulating film is less than 3 atomic %.

26. (original): A semiconductor device according to Claim 21, wherein said gate insulating film comprises a silicon oxide film formed on said silicon substrate so as to be in

contact therewith, and said nitrogen containing high-dielectric-constant insulating film formed on said silicon oxide film so as to be in contact therewith.

27. (original): A semiconductor device according to Claim 21, wherein said silicon substrate and said gate insulating film are in contact with each other, and said gate insulating film and a gate electrode are in contact with each other; and said gate electrode is made of either a polysilicon or a polysilicon germanium conductive film.

28. (currently amended): A semiconductor device according to Claim 21, wherein said gate insulating film contains at least one type selected from the group consisting of Zr, Hf, Ta, Al, Ti, Nb, Sc, Y, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb[-], Dy, Ho, Er, Tm, Yb and Lu.

29. (currently amended): A semiconductor device stacked comprising:  
a gate insulating film and a gate electrode stacked in this order on a silicon substrate;  
wherein  
said gate insulating film comprises a nitrogen containing high-dielectric-constant insulating film which has a structure in which nitrogen is introduced into metal silicate; and  
a nitrogen atom in said nitrogen containing high-dielectric-constant insulating film selectively bonds with a silicon atom in metal silicate.

30. (original): A semiconductor device according to Claim 29, wherein a nitrogen atom which selectively bonds with a silicon atom in said metal silicate is situated at a distance from the silicon substrate.

31. (original): A semiconductor device according to Claim 30, wherein said gate insulating film comprises a silicon oxide film formed on said silicon substrate so as to be in contact therewith, and said nitrogen containing high-dielectric-constant insulating film formed on said silicon oxide film so as to be in contact therewith.

32. (original): A semiconductor device according to Claim 30, wherein said silicon substrate and said gate insulating film are in contact with each other, and said gate insulating film and a gate electrode are in contact with each other; and said gate electrode is made of either a polysilicon or a polysilicon germanium conductive film.

33. (currently amended): A semiconductor device according to one of Claims 21-31, wherein said gate insulating film contains at least one type selected from the group consisting of Zr, Hf, Ta, Al, Ti, Nb, Sc, Y, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb[.], Dy, Ho, Er, Tm, Yb and Lu.

34. (currently amended): A semiconductor device ~~stacked comprising:~~

a gate insulating film and a gate electrode stacked in this order on a silicon substrate;

wherein

    said gate insulating film comprises a nitrogen containing high-dielectric-constant insulating film which has a structure in which nitrogen is introduced into metal silicate; and

    the composition of said nitrogen containing high-dielectric-constant insulating film continuously varies in the direction of the film thickness and the silicon concentration has a minimum value in the middle section lying between a silicon substrate side interface of said nitrogen containing high-dielectric-constant insulating film and a gate electrode side interface thereof; and

    nitrogen is introduced only into a region lying between the position at which the silicon concentration has the minimum value and said gate electrode side interface.

35. (original): A semiconductor device according to Claim 34, wherein said

    silicon substrate and said gate insulating film are in contact with each other, and said gate insulating film and a gate electrode are in contact with each other; and

    said gate electrode is made of either a polysilicon or a polysilicon germanium conductive film.

36. (currently amended): A semiconductor device according to Claim 34, wherein said gate insulating film contains at least one type selected from the group consisting of Zr, Hf, Ta, Al, Ti, Nb, Sc, Y, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb[.], Dy, Ho, Er, Tm, Yb and Lu.

37. (currently amended): A semiconductor device stacked comprising:  
a gate insulating film and a gate electrode stacked in this order on a silicon substrate;  
wherein

    said gate insulating film has a layered structure having, from the silicon substrate side, a first silicon oxide film, a metal oxide film or a metal silicate film and a second silicon oxide film;  
    and

    only the second silicon oxide film has a structure in which nitrogen is introduced into silicon oxide.

38. (original): A semiconductor device according to Claim 37, wherein said silicon substrate and said gate insulating film are in contact with each other, and said gate insulating film and a gate electrode are in contact with each other; and  
    said gate electrode is made of either a polysilicon or a polysilicon germanium conductive film.

39. (currently amended): A semiconductor device according to Claim 37,

wherein said gate insulating film contains at least one type selected from the group consisting of  
Zr, Hf, Ta, Al, Ti, Nb, Sc, Y, La, Ce, Pr, Nd, Sm, Eu, Gd, Tb[.], Dy, Ho, Er, Tm, Yb and Lu.

40. (currently amended): A semiconductor device ~~stacked comprising:~~

a gate insulating film and a gate electrode stacked in this order on a silicon substrate;

wherein

said gate insulating film contains nitrogen and metal oxide or metal silicate; and

the nitrogen concentration in said gate insulating film has a distribution in the direction of  
the film thickness; and

a position at which the nitrogen concentration in said gate insulating film reaches a  
maximum in the direction of the film thickness is present in a region at a distance from the  
silicon substrate.